

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Rejection under 35 U.S.C. § 103

Claims 2, 4-8 and 10-16 stand rejected under 35 U.S.C. 103 as being obvious over Blades et al. (U.S. Patent No. 5,709,099). This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that claims 2, 4-8 and 10-16 have been cancelled, thus rendering this rejection under 35 U.S.C. § 103 moot. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

New Claims

Claims 21-32 have been added for the Examiner's consideration.

Independent claim 21 recites a combination of elements in a spatial structure arranged for the spending of leisure, including a first interior space separated from the ambient open air, several at least partially closed separate spaces arranged for human activities within the first interior space. The geographical climate in each of the separate spaces is individually regulated in accordance with mutually differing geographical conditions. Applicant respectfully submits that this combination of elements as set forth in independent claim 21 is not disclosed or made obvious by the prior art of record.

The prior art does not disclose the combination of a first interior space having several smaller separate spaces within the first interior space, each of the smaller spaces being regulated to produce different geographical regions.

With regard to dependent claims 22-32, Applicants submit that these claims depend, either directly or indirectly, from independent claim 21 which is allowable for the reasons set forth above, and therefore are allowable. In addition, these claims recite further limitations which

are not disclosed or made obvious by the applied prior art references. Reconsideration and allowance thereof are respectfully requested.

The claims include features such as an enclosed slope between a first and second cupola that are not disclosed or suggested by the prior art.

Consideration and allowance of claims 21-32 are respectfully requested.

Conclusion

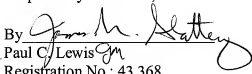
In view of the above remarks, it is believed that claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejection allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Paul C. Lewis, Reg. No. 43,368, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By  #28380
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